

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CARL McNEIL,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting

Commissioner of Social Security,

Defendant.

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CIVIL NO. 12-5718

ORDER

AND NOW, this 6th day of August 2013, upon consideration of Plaintiff's request for review, Defendant's response, the Report and Recommendation, and Defendant's Objections thereto, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED** in substantial part, as set forth in the accompanying Memorandum Opinion;
2. Plaintiff's Request for Review is **GRANTED** in part and **DENIED** in part, as set forth in the accompanying Memorandum Opinion;
3. The case is remanded to the Commissioner in accordance with the fourth sentence of 42 U.S.C. § 405(g) for proceedings consistent with the accompanying Memorandum Opinion.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.